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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,635	10/14/2003	John H. Bridges III	USPS-064CIA	3706

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EXAMINER	
SMYTH, ANDREW P	
ART UNIT	PAPER NUMBER
2881	
MAIL DATE	DELIVERY MODE
02/17/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/684,635	BRIDGES ET AL.	
	Examiner	Art Unit	
	ANDREW SMYTH	2881	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 November 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) *1-29* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *30-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/26/2005, 11/30/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Previous Office Action's Summary

1. Claims 30-38 were rejected.

2. Claims 1-29 were canceled.

Response to Amendment

1. Claim 30 was amended.

Response to Arguments

1. Applicant's arguments with respect to claims 30-38 have been considered but are moot in view of the new ground(s) of rejection due to amendment to claim 30.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US 2003/0129082) in light of Walles (US 6,485,683).

Regarding claim 30, Weinberg discloses a remediation method comprising the steps of:

- establishing an exclusion zone [0012 note gas tight sealing off of a building/zone] with restricted access thereto, wherein the

exclusion zone includes the site of the suspected biological attack [0012 note structures that have been contaminated];

● delivering a decontaminant within the site of the suspected biological attack [0012 note decontamination of whole structures]; and

● monitoring weather conditions at the site [0061 note temperature and humidity sensors placed at the site].

But Weinberg fails to explicitly teach:

● establishing a contamination reduction zone adjacent to the exclusion zone, wherein a person entering the exclusion zone or exiting from the exclusion zone does so through the contamination reduction zone, and wherein the contamination reduction zone has located therein means for decontaminating personal protective equipment worn by the person exiting the exclusion zone;

● establishing a support zone adjacent to the contamination reduction zone, wherein the support zone is a clean zone and wherein the support zone includes dressing facilities and equipment.

Walles, however, teaches:

● establishing a contamination reduction zone (figure 1, areas C, D, and F are contamination reduction zones with personnel equipment cleaning means) adjacent to the exclusion zone (figure 1, the exclusion zone is the exterior of the vehicle) , wherein a person entering the exclusion zone or exiting from the exclusion zone does so through the contamination reduction zone (figure 1, personnel enter/exit through the doorways into/out of C, D, or E), and wherein the contamination reduction zone has located

therein means for decontaminating personal protective equipment worn by the person exiting the exclusion zone (column 4, lines 50-60 note cubicles C and D and note cubicles are outfitted with multiple decontamination faucets);

● establishing a support zone adjacent to the contamination reduction zone, wherein the support zone is a clean zone and wherein the support zone includes dressing facilities and equipment (figure 1, area A of the vehicle has a analytical and medical support zone).

Walles modifies Weinberg by establishing a contamination reduction zone and a support zone for the personnel decontaminating/managing the exclusion zone and/or for victims of the contamination/attack.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the elements of a remediation method of sealing off the contaminated area and decontaminating it while monitoring relevant environmental factors such as temperature and humidity, as disclosed by Weinberg, with a personnel support and contamination reduction zones, as taught by Walles, to enable the personnel responding to the contamination to enter and exit the contaminated area without spreading the contamination outside off the contaminated area.

2. Claims 31-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US 2003/0129082) in light of Walles (US 6,485,683) and further in view of Sutton (US 5,706,846).

Regarding claims 31-38, Weinberg, as modified by Walles, discloses the elements of applicant's claim 30 that claims 31-38 depend upon, see previous.

However, Weinberg, as modified by Walles, does not disclose monitoring weather conditions about the exterior of the contaminated area/site.

Weinberg, as modified by Walles, discloses substantially the claimed invention except for monitoring weather conditions about the exterior of the contaminated area/site.

Sutton, however teaches: monitoring weather conditions (column 10, lines 26-37 note sensors to indicate outside air temperature, humidity, and wind speed and direction)(and wherein weather is inclusive also of lightning) and utilizing that information for establishing conditions of readiness (column 10, lines 26-37 note sensors provided to provide indications of the local weather conditions, where the scope of the threat can be assessed and a determination made regarding the appropriate responsive action) to determine if the weather poses a disruption to the contamination reduction zone and its associated support zones for
personnel and equipment and also to determine the possible threat of contamination being redistributed by weather elements such as wind.

Sutton, teaches: monitoring weather conditions at the site (column 10, lines 1-37), to determine if the weather poses a disruption to the contamination reduction zone and its associated support zones for personnel and equipment and also to determine if the threat of contaminate being redistributed by weather elements such as wind.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to monitor weather conditions at the site, as taught by Sutton, to determine if the weather poses a disruption to the contamination reduction zone and its associated support zones for personnel and equipment and also to determine the possible threat of contamination being redistributed by weather elements such as wind.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pertinent prior art is closely related art that individually or in combination could be considered grounds for rejection. See references cited for a listing of the pertinent prior art found and the prior art found.

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Smyth whose telephone number is 571-270-1746. The examiner can normally be reached on 7:30AM - 5:00PM; Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. S./
Examiner, Art Unit 2881

/ROBERT KIM/

Supervisory Patent Examiner, Art Unit 2881